

THE
ENGAGEMENT
Vindicated & Explained,
OR THE
REASONS

Upon which
Leiut. Col. John Lilburne
cooke the Engagement.

Published by a Well-wisher to the present Authority on purpose to satisfie scrupulous minds in the lawfulness of taking the said Engagement.

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1650.

Jo. Arthur
Printer to the
King



The Publisher to the Reader.

Courteous Reader,

Understanding that this following Epistle was pened by Mr. Lilburne, to be sent to Alderman Tichburn the speedy ejecti-
on of whom out of the Office of a Common-
Counsel-man, by the means of the said Alder-
man prevented it seemeth, the seeing of it; but
a Copy of it accidentally coming to my hand, I
thought good for the publick benefit, to present
it to the publike view; that so Scrupulous
minds may receive satisfaction by it, to take
the said Engagement.





CERTAINE
R E A S O N S

Wherefore Lieut. Col.

JOHN LILBURNE
tooke the present
ENGAGEMENT.

SIR,

Being a Freeman of *London* of about tenne
yeares standing, and having for some time
Resolved, upon *Fryday* last of late to live
within the *City*; in order to which, I real-
ly took such a lodging as by the posses-
sion of which (till I can get one more con-
venient for my family) as both in the Eye of *Law*, Rea-
son and *Custome*, may intitle and denominate me, to be
an Inhabitant in that *Ward*; where, and for which at
present, you are particularly *Alderman*; and having eat-
en, and drank, and lodged in my new habitation, I was
upon *Fryday* morning last by your *publique Beadle*, war-
ned as an Inhabitant of your *Ward*, to be at *Blew-coats*
Hall in *Christs Church* at the *Ward-mote*; wh^re by the
affection of diverse Inhabitants, I was put in nominati-
on for the year ensuing to be one of their *Common Coun-
sell*; and when the question was put for me according to
your *custome*, I withdrew, and afterwards found,
that my election by majority of hands was clear, with-
out all mannet of dispute; whereupon according to the
Act you tendered me the *New Engagement* in these words,
I doe Declare and promise, that I will be true and faithfull to

(1 Y 2)

the Common-wealth of England, as the same is now established, without a King or House of Lords.

Sir, You may please to remember that I told you, I could easily and freely subscribe it, provided, in regard I had formerly been very scrupulous, in taking any *Engagements* at all made by the *Parliament*, and had formerly very much opposed their *Engagements* and *Covenants*; and therefore to avoid that scandal that might redound to my reputation, by signing *the present Engagement*, without declaring before all the people there present, the grounds of my so doing; and therefore I intreated you to let me speak a few words to them, promising you to be very faire and moderate; but you answered me, it was not the busines of the day; but the people crying out, heare him, hear him, you were pleased to let me go on a little; but being not well pleased with what I said, you finally stopt me, whereupon I was necessitated to tell you, that seeing you would not let me speak my mind, I must be necessitated to write it to you, which thus followeth.

Sir, I am an *Englishman* by Birth & Breeding, & therefore have inherent in me an affection, an obligation or tye of respect unto it the Land of my nativity; but by signing this *Engagement*, I become solemnly and seriously ingaged and bound by a speciall tye, to performe that which before was a duty at large, or at randome upon me; for by the *Common-wealth of England* in the *Engagement* mentioned, I can understand nothing else to be meant, but one of these two things, or else both of them conjoyned.

First, By the *Common-wealth* I understand all the good & legall People of *England* to be meant. And this I do conceive the rather, because the *Engagement-makers* have vot ed & declared them to be the Soveraign or true Fountain of all just power amongst men, and to them by Gods Assistance I will be true and faithfull. Or secondly, By the *Common-wealth of England* I understand the essentiall and fundamentall

amental Government of England, as it is now established, which I conceive principally to consist in 3. particulars. The first of which is annuall and successive *Parliaments*, which is the Peoples essential right to enjoy, as is declared by 3. severall Acts of *Parliament*, now in force and unrepealed, *viz.* 4. *Eliz. chap. 14.* and 36. *Eliz. chap. 10.* Both which are confirmed by the *Act of the 16. of the late King*, intituled, *an Act for the preventing of inconveniences, happening by the long intermission of Parliaments*; which *Acts* are strongly backt to be the Peoples undubitable Right, by severall *Parliament-Declarations*: as particularly the *Parliaments* grand and first *Remonstrance* of the 15. of Decemb. 1641. 1 part. book declar. pag. 17. and there declared, of the 2. of Novemb. 1642. 1 part. book declar. pag. 702. 709. See also the 4. part. *Cooks instit. fol. 9. 11. 42.* published by the *Parliament*; yea and in the *Charge against the late King*, in the first branch thereof: the said frequent and successive *Parliaments* is owned and declared to be the foundation of the Government of this Nation, and of all the peoples Liberties, the violation of which is aggravated to the *King* against him, by his prosecuter *Mr. John Cook*, in his case stated pag. 7. 11. 14. 17. 18. 20. And also by the President of the *High Court of Justice*, in his last Speech against the *King*, the 27. of Jan. 1648. pag. 11. And in the very beginning of both the *Acts of Treason*, upon which I my self was lately *Arraigned*, which bears date the 14. of *May* and the 17. of *July* 1648, the substance of all fore-going is confirmed; for it is there declared, that the people shall for the future be governed by its own *Representatives*, or *Nationall meetings in Counsel*, chosen and intrusted by them for that purpose; so that annuall & successive *Parliaments* or *Representatives* is fully owned, and Declared to be the prime, or chief foundation of the Government of this Nation, unto which by the strength of God I will be true.

The second main essentiall of the Government of this Nation

Nation, is Tryall by Juries of good and Legall men of the Neighbourhood; which manner of Tryall, being far more ancient then the conquest, I Love and Honour, and by Gods blessing will be true to it.

The third maine esenciall of the Government of this Nation is, that no man shall be dispossed of his life, limb, liberty or estate, but by due processe of Law; as it is more at large (with that just and equitable Tryall by Juries) contained in the ch. 29. of *Magna Charta* and the *Petition of Right*; both of which, are every branch of them fully confirmed by the Act that abolisheth the *Star-Chamber*, and the Act that nuls *Ship-mony*, both of them made in the 17. of the late King; all of which are backt with two severall late Declarations dated the 9. of February, and the 17. of March 1648. In both which, it is fully and perticularly declared, that the fore-mentioned things, and the prime esenciall and principall foundations of the Government of this Nation; which good old Lawes & Customes they (there) call the badges of our freedom, the benefit of which our Ancestors (say they) enjoyed before the Conquest or *Norman*-slavery, and spent much of their blood, to have conformed by the Great *Charter* of the Liberties of *England*, and other exelent Lawes which have continued in all former changes, and being duly executed, are the most just, free and equall of any other Lawes in the World, and they there spend many Arguments, to illustrate the equitableness, justnesse and excilency of them, and also there solemnly Declare, that really and in good earnest they will maintaine, preserve, keep and uphold the said fundamentall Lawes of this Nation, for & concerning the preservation of the lives, properties & Liberties of the People, with all things incident, appertaining and belonging thereunto; as they are laid down in that exelent Law of the *Petition of Right*; as they themselves there call it; unto al which, by the assistance of the Almighty, I wil be true to.

Now.

Now, having affirmatively Declared what I conceive by the Common-Wealth of *England*, I am necessitated in the second place in the Negative to Declare, that by the Common-Wealth of *England*, I do not in the least vnderstand it to be meant abstract, or individually of the present *Part.* *Counsel of STATE* or *Council of the ARMY*, or all of them conjoyned, my Reasons are; First, Because the Members of the 3. said Counells take it as well as any others, and therefore it is not abstract to themselves that they take the *Engagement* to be true to; for it is incongruous in reason, for a man to take an *Engagement* to be true to himself, because there is inherent in him, an inbred tye or bond, which is one with him, that tyes and bindes him in a more nigher relation to be true to himself then al outward and visible *Engagements* can compell him to be, and to tender a man an *ENGAGEMENT* to be true to himself, would argue, he were judged to be void of anaturall affection to himself, which in reason no man in his right understanding can be supposed to be, & though the people were compelled to take the *Oath of Allegiance* to be true to the *KING*; yet that *Oath* was never compelled upon him to take to be trae to himself.

2. The *Engagement-makers* own a higher power then themselves; for their own words in the very beginning of the foresaid *Declaration* of the 17. of *March*, 1648. are thus, the *Parliament of England* elected by the People whom they represent, and by them trusted and authorized for the common good, and in the same *Declaration*, pag. 27. they have theire words, *viz.* the managing of the affaires, and ordering the Government of this *Common-wealth*, and matters in order thereunto, with which they are intrusted and authorized by the consent of all the People thereof, whose *Representatives* by election they are, so that here is a clean confession of two things, *viz.*

First, That themselves are not the *Common-wealth* in the *Engagement* named.

Secondly,

Secondly, That they are not *Supream*, but *Subordinate*,
being at most but *Trustees*, who by virtue thereof, can
rightfully make no *ENGAGEMENT* for me to
take absolutely, but onely conditionally, to be true to
them as far as they are true to their trust; the main ends
of which are before in their own words declared, and
therefore I took not the *Engagement* in any sense as ap-
prehending them abstracto to be meant by the *Common-
wealth* therein named. And so much at present for the first
part of it.

Lastly, As for that part without a *King* or *House of
Lords*, for my part I say Government it self is from *God*
or the prime *Lawes* of nature, without which by reason
of mans corruption by the fall, he cannot live as a ration-
nall *Creature*, and the forenamed things are to me the
essentials of the established Government of *England*, and
were so reputed before the Conquest; but as for the for-
mes of Government, I for my part look upon none *ju-
divino*. And therefore shall to the utmost of my power
as by the *Engagement* I am bound, oppose as far as in me
is, all manner of persons by what names or Titles
soever they be dignified and distinguished, that shall by
their own wills seeke to obtude all or any of those hum-
full arbitrary *Prerogatives*, that the late *King* or *House of
Lords* assumed to them, it being not so much Titles as tyra-
nous, or arbitrary actions that make the people miserable
that *Creature* being saith *John Cooke* in the *Kings case* state-
page 8. that Rules by lust and not by Law; not of *Go-*
making nor approbation, but onely his permission, and
in page 22. he further saith, Will and Conquest mak-
a Title amongst *Wolves* and *Beares*, but not amongst me
So with my respect tendered to you, I take leave
subscribe my self, yours, as farre as you are truly the
COMMONWEALTHS.

December, 1649.

JOHN LILBURN
FINIS.